

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION**

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JOSE ACEVEDO, individually, and as Special  
Administrator of the Estate of JOEL  
ACEVEDO;

*Plaintiff,*

v.

MICHAEL MATTIOLI, et al.,

*Defendants.*

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**CASE NO. 23-cv-00489**

**JURY TRIAL DEMANDED**

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**JOINT STATUS REPORT**

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**NOW COME** the PLAINTIFF and DEFENDANTS, jointly, by and through their undersigned counsel, to respectfully submit this Joint Status Report:<sup>1</sup>

1. On December 21, 2023, Plaintiff, JOSE ACEVEDO, individually, and as a Special Administrator of the ESTATE OF JOEL ACEVEDO, filed a First Amended Complaint (Doc. 23) pursuant to 42 U.S.C. § 1983, seeking damages.

2. The lawsuit results from the unlawful killing of JOEL ACEVEDO.

3. On January 4, 2024, Defendant MICHAEL MATTIOLI filed an Answer (Doc. 26).

4. On January 11, 2024, Defendants ROBERT ROACH and ALFONSO MORALES/CITY OF MILWAUKEE filed an Answer and Cross-Claim against Defendant MATTIOLI (Doc. 28).

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<sup>1</sup> While the Court did not require the filing of this Joint Status Report, because the Parties are unable to comply with the present expert disclosure deadlines, the Parties thought it best to provide an update to the Court regarding the status of the litigation.

5. On April 12, 2024, Defendant MATTIOLI filed an Answer and Cross-Claim against Defendant CITY OF MILWAUKEE (Doc. 35).

6. On May 3, 2024, Defendant CITY OF MILWAUKEE filed an Answer (Doc. 37).

7. On August 30, 2024, the Court issued a Text Only Order (Doc. 42) resetting the litigation deadlines.

8. Pursuant to the Text Only Order (Doc. 42), the following litigation deadlines were set:

Fact discovery:	March 1, 2025
Primary expert witness disclosures:	November 15, 2024
Rebuttal expert witness disclosures:	January 3, 2025
Daubert motions:	June 15, 2025
Dispositive motions:	April 10, 2025

9. In the Text Only Order (Doc. 42), the Court cancelled the May 1, 2025, final pretrial conference, adjourned the jury trial scheduled to begin May 12, 2025, and advised that new trial related deadlines would be set if necessary after the resolution of dispositive motions.

10. The Parties are working professionally and diligently together in conducting discovery.

11. The Parties have engaged in written discovery.

12. In June of 2024, Plaintiff served several subpoenas for records on various entities, including the Milwaukee Police Department (represented by counsel for Defendant CITY OF MILWAUKEE).

13. The Milwaukee Police Department has been working in good faith to produce the requested documents, and has advised Plaintiffs that the requested documents will be produced on or before December 6, 2024.

14. As a result of the unanticipated delay in the production of said documents, the Parties have not yet conducted depositions or engaged in expert discovery.

15. As such, the Parties are unable to meet the present expert disclosure deadlines.

16. Once the Parties set a deposition schedule, the Parties intend to file a joint motion to request that the Court reset the expert disclosure deadlines.

**Respectfully Submitted,**

By: /s/ B'Ivory LaMarr

**Date: November 15, 2024**

**B'IVORY LAMARR, ESQUIRE**

Texas Bar No. 1122469

blamarr@lamarrfirm.com

**THE LAMARR FIRM**

5718 Westheimer Road, Suite 1000, Houston, TX 77057

800.679.4600, Ext. 700

By: /s/ Devon M. Jacob

**Date: November 15, 2024**

**DEVON M. JACOB, ESQUIRE**

Pennsylvania Bar No. 89182

djacob@jacoblitigation.com

**JACOB LITIGATION, INC.**

P.O. Box 837, Mechanicsburg, Pa. 17055-0837

717.796.7733

**KIRK M. CLAUNCH, ESQUIRE**

Texas Bar No. 1039975

claunchlaw3@earthlink.net

**THE CLAUNCH LAW FIRM**

301 W. Central Avenue, Forth Worth, TX 76164

817.335.4003

**BENJAMIN L. CRUMP, ESQUIRE**

Washington, D.C. Bar No. 1552623

court@bencrump.com

**PRECIOUS CHAVEZ, ESQUIRE**

precious@bencrump.com

**BEN CRUMP LAW, PLLC**

122 S. Calhoun Street, Tallahassee, FL 32301

800.959.1444

*Counsel for Plaintiff*

By: /s/ Jasmyne M. Baynard

**Date: November 15, 2024**

**JASMYNE M. BAYNARD, ESQUIRE**

Wisconsin Bar No. 1099898

jmb@wbattys.com

**JOSEPH M. WIRTH, ESQUIRE**

Wisconsin Bar No. 1012080

jmw@wbattys.com

**WIRTH + BAYNARD**

9898 W. Bluemound Road, Suite 2, Wauwatosa, WI 53226

414.291.7979

*Counsel for Defendant Mattioli*

**EVAN GOYKE, ESQUIRE**

City Attorney

By: /s/ Clint B. Muche

**Date: November 15, 2024**

**CLINT B. MUCHE, ESQUIRE**

Assistant City Attorney

Wisconsin Bar No. 1131629

cmuche@milwaukee.gov

**OFFICE OF THE CITY ATTORNEY**

200 East Wells Street, Suite 800, Milwaukee, WI 53202

414. 286.2601

*Counsel for Defendant City of Milwaukee*